

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-60204-CR-DAMIAN/VALLE

18 U.S.C. § 1114
18 U.S.C. § 373(a)
18 U.S.C. § 1958(a)
18 U.S.C. § 1512(a)(1)(A)
18 U.S.C. § 1513(a)(1)(B)
18 U.S.C. § 1503

FILED BY AT D.C.

Oct 17, 2024

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - FTL

UNITED STATES OF AMERICA

vs.

ANTHONY FREDERICK BRILLANTE II,

Defendant.

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times relevant to this Indictment:

1. On or about August 5, 2022, the Defendant, Anthony Frederick BRILLANTE II ("BRILLANTE") was arrested on a federal Criminal Complaint ("Criminal Complaint") and charged with federal felony offenses.

2. The victims of the crimes charged in the Criminal Complaint were relatives of BRILLANTE. The first group of relatives are listed in this Indictment as Witness 1, her husband, Witness 2, and their minor daughter, Witness 3. The second group of relatives are listed in this Indictment as Victim 1, and her husband, Victim 2.

3. Federal Bureau of Investigation Special Agent 1 signed the federal Criminal

Complaint affidavit. He also was the lead investigative case agent throughout the investigation and prosecution. Federal Bureau of Investigation Special Agent 1 was an officer or employee of the United States, or of an agency in a branch of the United States Government.

4. On August 11, 2022, BRILLANTE was ordered detained throughout the pendency of his case. BRILLANTE was detained at the Miami Federal Detention Center.

5. On October 13, 2022, BRILLANTE was indicted on three federal felonies in a case styled *United States v. Anthony Frederick Brillante II*, Court Case No. 22-CR-20493-DPG (“BRILLANTE Case”). Witness 1, Witness 2, and Witness 3 were identified as victims in that indictment.

6. Assistant United States Attorney 1 signed the Indictment and was the lead prosecutor throughout the BRILLANTE Case. Assistant United States Attorney 1 was an officer or employee of the United States, or of an agency in a branch of the United States Government.

7. On October 31, 2022 and again on March 14, 2023, a Federal District Judge issued protective orders in the BRILLANTE Case regarding the disclosure of certain sensitive information to BRILLANTE. The protective orders precluded, among other things, BRILLANTE from maintaining the Personal Identification Information (e.g., addresses, phone numbers, dates of birth) (“PII”) of his victims, including Witness 1, Witness 2, Witness 3, Victim 1 and Victim 2, without his defense counsel present.

8. On October 17, 2023, the United States filed in the BRILLANTE Case its Trial Witness list, which included, Witness 1, Witness 2, and Witness 3 as witnesses to be called by the United States at trial.

9. On October 25, 2023, the Federal District Judge assigned to try the BRILLANTE

Case scheduled the case to start trial on October 30, 2023.

10. Prior to the start of the trial, BRILLANTE directed Individual 1 to transfer a total of \$30,000 from Individual 1's Citibank account to Cooperating Witness 1's Bank of America account to pay for the murders of Witness 1, Witness 2, Witness 3, Victim 1, and Victim 2. Cooperating Witness 1 was an associate of BRILLANTE's cellmate.

11. On October 29, 2023, BRILLANTE met with a Federal Bureau of Investigation undercover agent ("UCA") at the Miami Federal Detention Center, who posed as a hitman and associate of BRILLANTE's cellmate. The meeting was audio and video recorded. The purpose of the meeting was to discuss the planned murders of Witness 1, Witness 2, Witness 3, Victim 1, Victim 2, Federal Bureau of Investigation Special Agent 1, and Assistant United States Attorney 1.

12. During the meeting, BRILLANTE confirmed with the UCA that he wanted Witness 1, Witness 2, Witness 3, Victim 1, Victim 2, Federal Bureau of Investigation Special Agent 1, and Assistant United States Attorney 1 murdered. BRILLANTE also confirmed that a total of \$30,000 had already been paid for their murders.

13. The UCA told BRILLANTE that an additional \$10,000 needed to be paid to the same person for the murders of Federal Bureau of Investigation Special Agent 1 and Assistant United States Attorney 1. BRILLANTE agreed to pay \$10,000 for Federal Bureau of Investigation Special Agent 1 and Assistant United States Attorney 1 to be killed.

14. On October 29, 2023, BRILLANTE directed Individual 1 to send \$20,000 to Cooperating Witness 1's Bank of America account. On October 30, 2023, \$20,000 was transferred from Individual 1's Citibank bank account to Cooperating Witness 1's Bank of America Account.

COUNT ONE
(Attempted Murder of an Employee of the United States)

15. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

16. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

did attempt to kill Assistant United States Attorney 1, who is an employee of the United States, while he was engaged in and on account of the performance of his official duties, in violation of Title 18, United States Code, Section 1114.

COUNT TWO
(Attempted Murder of an Employee of the United States)

17. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

18. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

did attempt to kill Federal Bureau of Investigation Special Agent 1, who is an employee of the United States, while he was engaged in and on account of the performance of his official duties, in violation of Title 18, United States Code, Section 1114.

COUNT THREE
(Solicitation to Commit a Crime of Violence)

19. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

20. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

with intent that another person engage in conduct constituting a felony that has as an element the use, attempted use, or threatened use of physical force against the person of another in violation of the laws of the United States, and under circumstances strongly corroborative of that intent, did solicit, command, induce, or otherwise endeavor to persuade such other person to engage in such conduct; that is, to kill Assistant United States Attorney 1 on account of the performance of his official duties, in violation of Title 18, United States Code, Section 1114.

All in violation of Title 18, United States Code, Section 373(a).

COUNT FOUR
(Solicitation to Commit a Crime of Violence)

21. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

22. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

with intent that another person engage in conduct constituting a felony that has as an element the use, attempted use, or threatened use of physical force against the person of another in violation of

the laws of the United States, and under circumstances strongly corroborative of that intent, did solicit, command, induce, or otherwise endeavor to persuade such other person to engage in such conduct; that is, to kill Federal Bureau of Investigation Special Agent 1 on account of the performance of his official duties, in violation of Title 18, United States Code, Section 1114.

All in violation of Title 18, United States Code, Section 373(a).

COUNT FIVE
(Solicitation to Commit a Crime of Violence)

23. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

24. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

with intent that another person engage in conduct constituting a felony that has as an element the use, attempted use, or threatened use of physical force against the person of another in violation of the laws of the United States, and under circumstances strongly corroborative of that intent, did solicit, command, induce, or otherwise endeavor to persuade such other person to engage in such conduct; that is, to kill Witness 1, a cooperating federal witness, in violation of Title 18, United States Code, Section 1512(a)(1)((A).

All in violation of Title 18, United States Code, Section 373(a).

COUNT SIX
(Solicitation to Commit a Crime of Violence)

25. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

26. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

with intent that another person engage in conduct constituting a felony that has as an element the use, attempted use, or threatened use of physical force against the person of another in violation of the laws of the United States, and under circumstances strongly corroborative of that intent, did solicit, command, induce, or otherwise endeavor to persuade such other person to engage in such conduct; that is, to kill Witness 2, a cooperating federal witness, in violation of Title 18, United States Code, Section 1512(a)(1)((A).

All in violation of Title 18, United States Code, Section 373(a).

COUNT SEVEN

(Solicitation to Commit a Crime of Violence)

27. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

28. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

with intent that another person engage in conduct constituting a felony that has as an element the use, attempted use, or threatened use of physical force against the person of another in violation of the laws of the United States, and under circumstances strongly corroborative of that intent, did solicit, command, induce, or otherwise endeavor to persuade such other person to engage in such conduct; that is, to kill Witness 3, a cooperating federal witness, in violation of Title 18, United States Code, Section 1512(a)(1)((A).

All in violation of Title 18, United States Code, Section 373(a).

COUNT EIGHT
(Solicitation to Commit a Crime of Violence)

26. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

27. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

with intent that another person engage in conduct constituting a felony that has as an element the use, attempted use, or threatened use of physical force against the person of another in violation of the laws of the United States, and under circumstances strongly corroborative of that intent, did solicit, command, induce, or otherwise endeavor to persuade such other person to engage in such conduct; that is, to kill Victim 1, a cooperating federal witness, in violation of Title 18, United States Code, Section 1513(a)(1)(B).

All in violation of Title 18, United States Code, Section 373(a).

COUNT NINE
(Solicitation to Commit a Crime of Violence)

28. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

29. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

with intent that another person engage in conduct constituting a felony that has as an element the

use, attempted use, or threatened use of physical force against the person of another in violation of the laws of the United States, and under circumstances strongly corroborative of that intent, did solicit, command, induce, or otherwise endeavor to persuade such other person to engage in such conduct; that is, to kill Victim 2, a cooperating federal witness, in violation of Title 18, United States Code, Section 1513(a)(1)(B).

All in violation of Title 18, United States Code, Section 373(a).

COUNT TEN

(Use of Interstate Commerce Facilities in the Commission of Murder-for-Hire)

30. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

31. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

used, and caused another to use, a facility of interstate and foreign commerce, with the intent that the murder of Assistant United States Attorney 1 be committed in violation of the laws of any State as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value, specifically money to be paid to a person to commit the murder.

All in violation of Title 18, United States Code, Section 1958(a).

COUNT ELEVEN

(Use of Interstate Commerce Facilities in the Commission of Murder-for-Hire)

32. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

33. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

used, and caused another to use, a facility of interstate and foreign commerce, with the intent that the murder of Federal Bureau of Investigation Special Agent 1 be committed in violation of the laws of any State as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value, specifically money to be paid to a person to commit the murder.

All in violation of Title 18, United States Code, Section 1958(a).

COUNT TWELVE

(Use of Interstate Commerce Facilities in the Commission of Murder-for-Hire)

34. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

35. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

used, and caused another to use, a facility of interstate and foreign commerce, with the intent that the murder of Witness 1 be committed in violation of the laws of any State as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value, specifically money to be paid to a person to commit the murder.

All in violation of Title 18, United States Code, Section 1958(a).

COUNT THIRTEEN

(Use of Interstate Commerce Facilities in the Commission of Murder-for-Hire)

36. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

37. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

used, and caused another to use, a facility of interstate and foreign commerce, with the intent that the murder of Witness 2 be committed in violation of the laws of any State as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value, specifically money to be paid to a person to commit the murder.

All in violation of Title 18, United States Code, Section 1958(a).

COUNT FOURTEEN

(Use of Interstate Commerce Facilities in the Commission of Murder-for-Hire)

38. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

39. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

used, and caused another to use, a facility of interstate and foreign commerce, with the intent that the murder of Witness 3 be committed in violation of the laws of any State as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value, specifically money to be paid to a person to commit the murder.

All in violation of Title 18, United States Code, Section 1958(a).

COUNT FIFTEEN

(Use of Interstate Commerce Facilities in the Commission of Murder-for-Hire)

40. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

41. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

used, and caused another to use, a facility of interstate and foreign commerce, with the intent that the murder of Victim 1 be committed in violation of the laws of any State as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value, specifically money to be paid to a person to commit the murder.

All in violation of Title 18, United States Code, Section 1958(a).

COUNT SIXTEEN

(Use of Interstate Commerce Facilities in the Commission of Murder-for-Hire)

42. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

43. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida and elsewhere, the defendant,

ANTHONY FREDERICK BRILLANTE II,

used, and caused another to use, a facility of interstate and foreign commerce, with the intent that the murder of Victim 2 be committed in violation of the laws of any State as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value,

specifically money to be paid to a person to commit the murder.

All in violation of Title 18, United States Code, Section 1958(a).

COUNT SEVENTEEN
(Tampering with a Witness by Attempting to Kill)

44. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

45. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

did attempt to kill Witness 1 by soliciting and paying another person to kill Witness 1 with the intent to prevent the attendance or testimony of Witness 1 in an official proceeding; that is the trial in the case of *United States v. Anthony Frederick Brillante II*, Court Case No. 22-20493-CR-GAYLES/TORRES, in the United States District Court for the Southern District of Florida, in violation of Title 18, United States Code, Section 1512(a)(1)(A).

COUNT EIGHTEEN
(Tampering with a Witness by Attempting to Kill)

46. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

47. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

did attempt to kill Witness 2 by soliciting and paying another person to kill Witness 2 with the intent to prevent the attendance or testimony of Witness 2 in an official proceeding; that is the trial

in the case of *United States v. Anthony Frederick Brillante II*, Court Case No. 22-20493-CR-GAYLES/TORRES, in the United States District Court for the Southern District of Florida, in violation of Title 18, United States Code, Section 1512(a)(1)(A).

COUNT NINETEEN
(Tampering with a Witness by Attempting to Kill)

48. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

49. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

did attempt to kill Witness 3 by soliciting and paying another person to Witness 3 with the intent to prevent the attendance or testimony of Witness 3 in an official proceeding; that is the trial in the case of *United States v. Anthony Frederick Brillante II*, Court Case No. 22-20493-CR-GAYLES/TORRES, in the United States District Court for the Southern District of Florida, in violation of Title 18, United States Code, Section 1512(a)(1)(A).

COUNT TWENTY
(Obstructing Justice by Retaliating Against a Witness)

50. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

51. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

did attempt to kill Victim 1 with the intent to retaliate against Victim 1 for providing to a law

enforcement officer information relating to the commission or possible commission of a federal offense, in violation of Title 18, United States Code, Section 1513(a)(1)(B).

COUNT TWENTY-ONE
(Obstructing Justice by Retaliating Against a Witness)

52. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

53. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

did attempt to kill Victim 2 with the intent to retaliate against Victim 2 for providing to a law enforcement officer information relating to the commission or possible commission of a federal offense, in violation of Title 18, United States Code, Section 1513(a)(1)(B).

COUNT TWENTY-TWO
(Obstruction of the Due Administration of Justice)

54. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

55. Beginning in or around October 2023 through November 2023, in Broward County and Miami-Dade County, in the Southern District of Florida, the defendant,

ANTHONY FREDERICK BRILLANTE II,

did corruptly endeavor to influence, obstruct and impede the due administration of justice in *United States v. Anthony Frederick Brillante II*, Court Case No. 22-20493-CR-GAYLES/TORRES, in the United States District Court for the Southern District of Florida by soliciting, inducing, or otherwise endeavoring to persuade another person to kill Assistant United States Attorney 1,

Federal Bureau of Investigation Special Agent 1, and federal witnesses Witness 1, Witness 2, and Witness 3, in violation of Title 18, United States Code, Section 1503.

FORFEITURE ALLEGATIONS

1. The allegations of this Indictment are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **ANTHONY FREDERICK BRILLANTE II**, has an interest.

2. Upon conviction of a violation, or conspiracy to commit a violation, of Title 18, United States Code, Sections 1114, 1958, 1512, 1513, and/or 1503, as alleged in this Indictment, the defendant shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to such offense(s), pursuant to Title 18, United States Code, Section 981(a)(1)(C).

3. The property subject to forfeiture as a result of the alleged offense(s) includes, but is not limited to, the following:

- (i) a sum of at least approximately \$40,000 in U.S. currency which represents the amount of proceeds traceable to the alleged offense(s), which may be sought as a forfeiture money judgment.

4. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty.

the United States shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p).

All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and the procedures set forth in Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL



FOREPERSON


FOR MARKENZY LAPOINTE
UNITED STATES ATTORNEY


LAWRENCE D. LAVECCHIO
ASSISTANT UNITED STATES ATTORNEY


DERIC ZACCA
ASSISTANT UNITED STATES ATTORNEY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA

CASE NO.: _____

v.

CERTIFICATE OF TRIAL ATTORNEY

ANTHONY FREDERICK BRILLANTE II

Court Division (select one)

☐ Miami ☐ Key West ☐ FTP
☒ FTL ☐ WPB

Superseding Case Information:

New Defendant(s) (Yes or No) _____

Number of New Defendants _____

Total number of new counts _____

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. §3161.
3. Interpreter: (Yes or No) No
List language and/or dialect: English
4. This case will take 7 days for the parties to try.
5. Please check appropriate category and type of offense listed below:

(Check only one)	(Check only one)
I <input type="checkbox"/> 0 to 5 days	<input type="checkbox"/> Petty
II <input checked="" type="checkbox"/> 6 to 10 days	<input type="checkbox"/> Minor
III <input type="checkbox"/> 11 to 20 days	<input type="checkbox"/> Misdemeanor
IV <input type="checkbox"/> 21 to 60 days	<input checked="" type="checkbox"/> Felony
V <input type="checkbox"/> 61 days and over	
6. Has this case been previously filed in this District Court? (Yes or No) No
If yes, Judge _____ Case No. _____
7. Has a complaint been filed in this matter? (Yes or No) No
If yes, Magistrate Case No. _____
8. Does this case relate to a previously filed matter in this District Court? (Yes or No) Yes
If yes, Judge Gayles Case No. 22-20493-CR-GAYLES
9. Defendant(s) in federal custody as of 08/05/2022
10. Defendant(s) in state custody as of _____
11. Rule 20 from the _____ District of _____
12. Is this a potential death penalty case? (Yes or No) No
13. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? (Yes or No) No
14. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? (Yes or No) No
15. Did this matter involve the participation of or consultation with Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No
16. Did this matter involve the participation of or consultation with now Magistrate Judge Marta Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? No

By: _____

LAWRENCE D. LaVECCHIO

Assistant United States Attorney

FL Bar No. 305405

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: ANTHONY FREDERICK BRILLANTE II,

Case No: _____

Count #: 1-2

Attempted Murder of an Employee of the United States

18 U.S.C. § 1114

- * **Max. Term of Imprisonment:** 20 years' imprisonment
- * **Mandatory Min. Term of Imprisonment (if applicable):** N/A
- * **Max. Supervised Release:** 3 years'
- * **Max. Fine:** \$250,000

Count #: 3-9

Solicitation to Commit a Crime of Violence

18 U.S.C. § 373(a)

- * **Max. Term of Imprisonment:** 20 years' imprisonment
- * **Mandatory Min. Term of Imprisonment (if applicable):** N/A
- * **Max. Supervised Release:** 3 years'
- * **Max. Fine:** \$250,000

Count #: 10-16

Use of Interstate Commerce Facilities in the Commission of Murder-for-Hire

18 U.S.C. §1958(a)

- * **Max. Term of Imprisonment:** 10 years' imprisonment
- * **Mandatory Min. Term of Imprisonment (if applicable):** N/A
- * **Max. Supervised Release:** 3 years'
- * **Max. Fine:** \$250,000

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: ANTHONY FREDERICK BRILLANTE II,

Case No: _____

Count #: 17-19

Tampering with a Witness by Attempting to Kill

18 U.S.C. § 1512(a)(1)(A)

- * **Max. Term of Imprisonment:** 30 years' imprisonment
- * **Mandatory Min. Term of Imprisonment (if applicable):** N/A
- * **Max. Supervised Release:** 5 years'
- * **Max. Fine:** \$250,000

Count #: 20-21

Obstructing Justice by Retaliating Against a Witness

18 U.S.C. § 1513(a)(1)(B)

- * **Max. Term of Imprisonment:** 30 years' imprisonment
- * **Mandatory Min. Term of Imprisonment (if applicable):** N/A
- * **Max. Supervised Release:** 5 years'
- * **Max. Fine:** \$250,000

Count #: 22

Obstruction of the Due Administration of Justice

18 U.S.C. §1503

- * **Max. Term of Imprisonment:** 20 years' imprisonment
- * **Mandatory Min. Term of Imprisonment (if applicable):** N/A
- * **Max. Supervised Release:** 3 years'
- * **Max. Fine:** \$250,000

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.